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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/669,913	09/25/2000	Charles Anthony Seiber	76507/273	2604

26371 7590 05/17/2004

FOLEY & LARDNER  
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MILWAUKEE, WI 53202-5308

EXAMINER

MILLER, WILLIAM L

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 05/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/669,913

**Applicant(s)**

SEIBER ET AL.

**Examiner**

William L. Miller

**Art Unit**

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 37,39-47 and 75-85 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 37,39-47 and 75-85 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The substitute specification filed 01-21-2004 has been entered, however, the abstract included therein exceeds 150 words. The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. (Note: the amended abstract previously filed 03-17-2003 was acceptable.)

### ***Claim Objections***

2. Claim 39 is objected to because of the following informalities: line 8, after "pivotal" insert --interface--. Appropriate correction is required.

### ***Allowable Subject Matter***

3. Claims 37, 39-47, and 75-85 are allowed.

4. The following is an examiner's statement of reasons for allowance: Regarding claim 37, Reed (US#3374794) discloses a mounting structure comprising: at least one display board 22 including a first mounting interface (upper 24,26) and a second mounting interface (lower 24,26); a first pivotal interface including a first projection 14 forming a retaining slot 18 adapted to engage the first mounting interface of the display board; and a second pivotal interface 16,20 adapted to engage the second mounting interface of the display board, so that the display board is adapted to be removably pivotally coupled to the mounting structure at both the first pivotal interface and the second pivotal interface. Reed fails to disclose the first projection is a hook. It

Art Unit: 3677

would not have been obvious to one of ordinary skill in the art to modify Reed such that the first projection was a hook.

5. Regarding claim 39, Reed (US#3374794) discloses a mounting structure comprising: at least one display board 22 including a first mounting interface (upper 24,26) and a second mounting interface (lower 24,26); a first pivotal interface including a first projection 14 forming a retaining slot 18 adapted to engage the first mounting interface of the display board; and a second pivotal interface 16,20 adapted to engage the second mounting interface of the display board, so that the display board is adapted to be removably pivotally coupled to the mounting structure at both the first pivotal interface and the second pivotal interface. Reed discloses the second pivotal interface includes a second projection 16 having a slot 20 as opposed to the second projection having a post as claimed by the applicant. It would not have been obvious to one of ordinary skill in the art to modify Reed such that the second projection was a post.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Response to Arguments***

6. The double patenting rejection made in the previous Office action has been rescinded as the claims of related U.S. Patent No. 6,272,779 are drawn to the species shown in Figs. 24-27 of the instant application, while the claims in the instant application are drawn to the species shown in Figs. 17-23 of the instant application.

7. Applicant's arguments with respect to Kelly (US#4457436) and the amended independent claims 37 and 39 have been fully considered and are persuasive.

**Conclusion**

8. This application is in condition for allowance except for the formal matters discussed in detail above. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213. A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Miller whose telephone number is 703 305 3978. The examiner can normally be reached on Tuesday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 703 306 4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WLM  
05-13-2004

William L. Miller  
Primary Examiner  
Art Unit 3677

